

JUSTICE STEPHEN J. FIELD

ANNOUNCES TO THE COURT HIS INTENDED RETIREMENT

His Letter Contains a Sketch of His Judicial Career—Appointed by President Lincoln in 1863—More Than Forty Years of Judicial Life—Three Chief Justices and Sixteen Associate Justices Have Passed Away During His Service on the Supreme Bench

Washington, October 14.—It was announced at the supreme court today that Justice Stephen J. Field, of California, had notified President McKinley of his intention to retire as a member of the court, and had informed his colleagues of this fact. It is expected that his successor will be nominated by the president immediately after the convening of congress in December, and that Attorney General McKenna, also of California, will be named for the office. Justice Field, it is learned, notified the president last April of his intention to retire, but the president did not acknowledge until October 9th.

In the letter of Justice Field to his associates, notifying them of his retirement, is a copy of the acceptance of his resignation by the president, in which Mr. McKinley speaks in the highest terms of the services rendered by the distinguished jurist. The letter further says:

"My judicial career covers many years of service. On the 10th of March, 1863, I was commissioned by President Lincoln a justice of the supreme court of the United States, taking the oath of office on the 20th day of the following May. When my resignation takes effect my period of service on this bench will have exceeded that of any of my predecessors, while my entire judicial life will have embraced more than forty years. During all this period, long in comparison with the brevity of human life, though in the retrospect it has gone with the swiftness of a tale that is told, I have not shunned to declare in every case coming before me for decision the conclusions which my deliberate convictions compelled me to arrive at, by the conscientious exercise of such abilities and acquisitions as I possessed.

"It is a pleasant thing in my memory that my appointment came from President Lincoln, of whose appointments during the last century I have heard so much. There had been no representative here of the Pacific coast. At the head of the court when I became one of its members, was the venerable Chief Justice Taney, and among the associate justices was Justice Wayne, who had sat with Chief Justice Marshall, thus constituting a link between the past and the future, and as it were, binding into unity, nearly an entire century of the life of this court.

"During my incumbency three chief justices and sixteen associate justices have passed away, leaving me precious remembrances of common labors and intimate and agreeable companionship. When I came here the country was in the midst of war. Washington was one great camp, and now and then the boom of cannon could be heard from the other side of the Potomac. But we could not say: 'Inter arma silent leges.' This court met in regular session, never once falling in time or place, and its work went on as though there were no sound of battle. Indeed, the war itself simply added to the amount of litigation here and elsewhere. But the war ended in a couple of years, and then came the great period of reconstruction and the last amendments to the federal constitution. In the effort to re-establish the nation, to adjust all things to the changed political, social and economic conditions, questions of personal liberty, of constitutional right, which, after oftentimes heated discussions before the people and in the halls of congress, came to us for decision. I do not exaggerate when I say that no more difficult and more important questions have ever presented to this or any other court. I look back with pride and joy to the fact that I was permitted to take part in the consideration of all these important questions, and not infrequently I was called upon to express the judgment of this court thereon. And now that those times are so far away, deep feeling and judicial decision have passed, it is pleasant to realize that the conclusions announced by this court have been accepted, not simply of necessity as prescribed by the fundamental law, but in the main as in themselves both correct and wise.

"As we all know, the period of the war was followed by one continuing even to the present time, of marvelous material development. Wealth accumulated such as never before was dreamed of in this country. Gigantic enterprises were undertaken and carried through. Inventions have multiplied the conveniences of life, as well as the possibilities of achievement. Indeed, the conditions of life have essentially changed from those that prevailed prior to the war. Out of this changed social and economic condition has sprung not merely an immense multitude of cases, but litigation of a character virtually affecting the future prosperity and safety of this country. To this court have come for final solution and decision many of these questions and causes. I have been blessed by Almighty God with health and life have been preserved, and I have been enabled to take part in the consideration of all these causes. Few appreciate the magnitude of our labors. The burden resting upon us for the last fifteen or twenty years has been enormous. The volumes of our reports show that I alone have written 620 opinions, including the California bench, 1,042.

"If it may be said that all of our decisions have not met with the universal approval of the American people, yet it is to the great glory of that people that always and everywhere they have yielded a willing obedience to them. That fact is eloquent of the ability of popular institutions, and demonstrates that the people of these United States are capable of self-government.

"As I look back over the more than a third of a century I have spent on this bench, I am more and more impressed with the immeasurable importance of this court. It carries neither the purse nor the sword, but it possesses the power of declaring the law and in that is found the safeguard which keeps the whole mighty fabric of government from rushing to destruction. This negative power, the power of resistance, is the only safety of a popular government, and it is an additional assurance when the power is in such hands as yours.

"With this I give place to my successor. But I can never cease to linger on the memories of the past. Among

the compensations for all the hard work that a seat on this bench imposes have been the intimacies and friendship that have been formed between its members. Though we have often differed in our opinions, it has always been an honest difference, which did not affect our mutual regard and respect. These many years have indeed been years of labor, and of toil, but they have brought their own reward; and we can all join in thanksgiving to the Author of our being that we have been permitted to spend so much of our lives in the service of our country."

The court's reply, which is signed by all the members, expresses deep regret at the loss it has sustained and pays a high tribute both to the character and ability of Justice Field.

CHAMBER OF COMMERCE

The Largest Meeting the Body Ever Held. The Matter of Freight Rates Discussed. Army Post for Wilmington—Other Matters

The regular monthly meeting of the Chamber of Commerce was held yesterday at 3:30 o'clock p. m., at their rooms in the MacRae building, and it is gratifying for The Messenger to note that it was the largest meeting the body ever held.

President James H. Chadbourne presided and Colonel John L. Cantwell, the secretary, was at his post. The minutes of the last meeting were read and approved. The records state that the following committee had been appointed with reference to the proposed coming here of persons to erect a cotton seed oil mill: Messrs. D. L. Gore, Hugh MacRae and J. A. Springer. They also contained the announcement that Messrs. Thomas F. Bagley, B. F. Keith and M. S. Willard, had been appointed to secure hotel rates for a meeting of the industrial agents of the Seaboard Air Line in our city some time in October or November. This committee was appointed in response to a letter from Captain John T. Patrick, chief industrial agent, who made the request.

The following new members were elected: The Rheinhardt Dry Goods Company and Mr. G. J. Boney.

A communication was received from Mr. H. A. Whiting, president of the Wilmington Street Railway, stating that he would soon leave the city to go back north, and requesting that the membership of the Street Railway Company be transferred to Mr. A. B. Skelding, the general manager. On motion, it was so ordered.

The report of the committee appointed to secure rates for the industrial agents, reported that The Orton would entertain them at the reduced rate of \$1.50 to \$2.00 per day, and other hotels and boarding houses at \$1.00 per day.

Mr. M. W. Jacoby brought up the matter of freight discriminations against Wilmington, and remarks on the matter were made by him, and Messrs. C. C. Covington, Colonel F. W. Kerchner, D. Cronly, S. H. Fishblade and James H. Chadbourne, Jr. On motion of Colonel Kerchner, the matter was referred to Mr. C. E. Borden, chairman of the transportation committee, with the request that he invite members of the different lines of trade in the city to meet and confer with his committee as to the best methods to pursue in remedying the matter complained of.

On motion of Mr. D. T. Cronly, the secretary was requested to write to Mr. E. P. Boatwright, of the membership committee, with the request that active steps be taken to increase the membership of the Chamber.

Mr. M. W. Jacoby again called attention to the necessity of urging the city to continue the improvement of Nixon and Eighth streets. The matter was referred to the streets, parks and public roads committee, and Mr. W. H. Chadbourne, who was the originator of the proposition to improve these streets.

Mr. T. F. Bagley said it would be a good time to urge the city government to beautify the grounds around the public building.

Postmaster George L. Morton also joined in and said he had once or twice endeavored to get the park improved, but he was informed by the postoffice department that there was no available appropriation to do the work, although upon instruction from the department he had secured bids for doing the work, the lowest being \$1,400.

On motion, the matter was referred to the committee on streets, parks and public works to take steps to secure an appropriation to beautify the park. The committee consists of Messrs. F. L. Huggins, James W. Jackson and John H. Hanby.

Postmaster Morton informed the meeting that he had learned that the government contemplates the location of an army post of from 400 to 500 men, at or near Wilmington, and suggested that the state encampment grounds at Wrightsville be tendered to the government for this purpose, as the state has abandoned the holding of encampments there, and the land has reverted to the city. After discussion, a motion by Mr. Morton was adopted, that a committee be appointed to ascertain what the status of the encampment grounds are, and to get matters in shape, so they can tender them for the army post. The chairman appointed as that committee Messrs. Geo. L. Morton, George R. French and F. W. Kerchner.

The meeting then adjourned.

The Chamber has secured for the next year the rooms they now occupy.

Why not profit by the experience of others. Thousands of grateful men and women have been rendered healthy and happy by the use of Febricure, (Sweet Chill Tonic with Iron), a skillful combination of the most approved remedies, which will promptly cure any case of Chills and Fever. It is sold by reputable dealers, who will not ask you to try inferior articles for the sake of extra profit. Guaranteed to cure, or money refunded. Sold by J. C. Shepard, J. H. Hardin and H. L. Fentress.

A Schooner Wrecked

St. Johns, N. F., October 14.—The schooner Bloodhound is a total wreck near Cape Pine on the southern part of the peninsula of Avalon. Her crew of seven men perished. Their bodies have not yet been recovered, and nothing can be saved.

Small pill, safe pill, best pill. DeWitt's Little Early Risers cure biliousness, constipation, sick headache, R. R. Bellamy.

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is a long and hard one. It's much easier to get

GOLD DUST

from your grocer. Sold everywhere and cleans everything.

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THE SUPERIOR COURT

George Johnson on Trial for His Life—The Testimony Being Taken—The Jury Locked Up for the Night

Pursuant to adjournment for recess on Wednesday evening, the superior court of New Hanover county met yesterday at 10 a. m., his honor, Judge Sutton, presiding.

The court took up the case of the State against George Johnson, colored, charged with committing a criminal assault on Bertha Branch, colored. It will be remembered that an excursion arrived in Wilmington from Clinton on the 24th of July last and that the girl who brings the charge against Johnson came down with the excursionists. She met Johnson in the city and went on the train with him to Navesse, where he kept a little store. They walked back to town, and in her testimony she alleges that the crime was committed between the bridge over the Cape Fear river and the bridge over the North East river.

Johnson was arraigned at the July term of the court and he put in a plea of not guilty. The case was then continued to this term. When the case was called yesterday the court house was packed with colored men and women who manifested the deepest interest in the proceedings. Solicitor M. C. Richardson and Congressman George H. White, are prosecuting, the latter having been employed by the girl's friends and many of Johnson's acquaintances at Navesse who contributed to a fund to retain the colored lawyer to appear with the state's attorney against their neighbor. The prisoner is being defended by two colored lawyers, D. W. Evans and W. A. Moore, who were appointed by the court.

The following jury was drawn and empanelled to try the case: W. P. LeGwin, Van Woodcock, Edward Hill, W. A. Johnson, Charles I. Cline, T. M. Earnhart, W. A. Eckle, W. A. Biddle, H. M. Foard, J. D. Russ, Walter G. MacRae and John R. Hanby.

The jury was secured by 12 o'clock, and the taking of testimony occupied the balance of the day. Several witnesses from Clinton, the home of the girl, testified to her good character at home. About 4:30 p. m. the state rested and the examination of the defendant's witnesses began.

The court at 5:30 p. m. took a recess till 10 o'clock this morning.

The jury was ordered to remain in the court house during the night.

There are among the thousands who use Cod Liver Oil, to whom the taste of the Oil is objectionable. To these we take pleasure in recommending "Morrhovin" (Wine of Cod Liver Oil). It is not a synthetic compound, but is actually extracted from the finest quality of pure Norwegian Cod Liver Oil, thereby representing all its virtues, combined with Hypophosphites of Lime, Soda and Manganese. Sold by J. C. Shepard, J. H. Hardin and H. L. Fentress.

A Combination Farm Machine

A combination machine for farming purposes has been invented by ex-Congressman Murray, of South Carolina, which has adjustable attachments to be used on principles somewhat similar to those used on some sewing machines, and is destined to play an important part in farming throughout the world.

The machine is a tricycle set on a frame 3x6 feet, one of the attachments that may be used as a mower measuring five feet. Its cut is clean, and it has free and easy movement, and is light draught. The owners are willing to test it with any other machine built for that purpose. Other attachments may be used to sow all kinds of grain, wheat, flax, oats, and other crops, and one as useful and unique as any is for cotton. There are four distinct parts to the cotton planter, one for opening the row, another for sowing the cotton seed, an appliance for covering, and a roller to press the row all in which is done simultaneously in one drive of the wheels along the row. The machine also carries with it the most effective potato digger yet discovered, as well as eight or more hoe drills for drilling wheat, all of which are worked upon the same frame, drawn by two horses.

The cotton chopper should also be mentioned. It revolutionizes the cotton chopping business on the plantations at the south. Indeed, it dismisses the women from the cotton fields, and the children need no longer be away from the schools that they may be engaged in cotton chopping. The truth is, two men with two horses, using this machine, can chop more cotton in a day than thirty men, women, and children with their hands and hoes.—St. Louis Globe-Democrat.

The Seaboard Air Line Adopts the Differential Tariff

Norfolk, Va., October 14.—The Seaboard Air Line has just published a differential passenger tariff, which supersedes their present tariff and makes a decided reduction from the old rates. This line is the first road in the south to adopt a method of differential rates for the purpose of equalizing rates. The same method is used by northern and eastern roads who are placed in the same position as the Seaboard Air Line, which claims that was unable to have its through cars hauled by connections north or south, and so it has been compelled to adopt the differential in self-defence. These rates go into effect October 25th.



Shall Women Propose

A recent reformer has written an argument that the privilege of making proposals rests with the wrong sex; that women are the proper persons to make the selection of a life partner by request, and not through the more limited means at present accorded them. As an example for any shy and embarrassed maiden who might hesitate as to the mode of proposing, the unusual position of proposing, the writer gives a formula for a letter. It contains the following: "I have the highest esteem for your character. I am sure you would make a good and affectionate wife to a suitable wife. Our views and feelings have often been mutually exchanged in the most friendly and unreserved manner, and I have learned to entertain a tender regard for you. If you, as I flatter myself you do, feel similarly toward me, and think I could make you a wife after your own heart, I shall feel myself the happiest woman alive by your accepting me. Should you consent to my proposal, I shall be delighted to mention it at once to your mother. The Complete Letter Writer itself could scarcely have accomplished so masterful and effective a composition. What possibilities lurk within this sort of an epistle from woman to man! Cordiality, at once evident and regret at parting would make a man tremble with misery lest the next post should bring him the terrible letter.—The Illustrated American.

Our most eminent physicians prescribe "Hart's Emulsion of Cod Liver Oil" with Creasote and the Hypophosphites. Sold by J. C. Shepard, J. H. Hardin and H. L. Fentress.

The Terrible Chilcot Pass (Illustrated American)

Here is a description of the White Pass trail in a letter from one of the voyagers: "Thirty-five hundred people are strung along for ten miles to the summit, one half of whom are selling out and returning. Some are returning to go over Chilcot, others are going to camp at Dyea till spring, and some are sitting on their thumbs weeping, and all in all the most miserable, disconsolate lot of men the sun ever shone upon." All along its course lie the broken-up remnants of boats for the lake. No motor boat has succeeded in carrying a boat across either pass, though hundreds were brought. With the boats lie the dead bodies of horses, either shot by their owners as they stood mired to the banks in the mud, or lying crushed at the bottoms of ravines as they fell from the narrow trail above. The mud is four feet deep in places, and overlies a foundation of sharp stones which cut the feet of horses and burros to pieces. Two steady double streams of pack animals pass each other, the one moving forward to the summit, the other backward to carry on the relays of supplies, it being impossible for a single animal to carry the entire supplies of one man. As few men have more than one horse or burro, part of the impedimenta is carried to a certain point, unloaded there, and a return made for the rest.

Why He Was Courageous (Chicago Post)

"I think," she said, hesitatingly, and with downcast eyes, "that you'd better speak to papa."

"Sure," he replied promptly. "That's dead easy. The only thing that troubled me was the interview with you."

"You're not afraid of papa?" she said, inquiringly, opening her eyes in astonishment.

"Afraid!" he exclaimed. "Why should I be?"

"Really, I don't know," she answered, "but it's usual, you know."

"Oh, I suppose so," he answered in the off-hand way of the man of the world. "With inexperienced men there would be nothing surprising in it, but I have taken the precaution to loan him money, which is still unpaid."

Then it was that the beautiful girl realized that she had caught a genuine financier for a husband.

Sparks

The president has appointed A. D. Ricketts postmaster at Tallahassee, Fla.

General Weyer, the retiring captain general, has granted amnesty to forty-six political prisoners, including several women who have been confined on the Isle of Pines.

The Norfolk and Western railroad, at its annual meeting at Roanoke, re-elected the old directors and officers and decides to declare a dividend of \$1.00 per share on preferred stock.

Reinforcements of Spanish troops for Cuba are being hurried forward by the military authorities. About five thousand additional soldiers will leave Spain for that island before the end of the present month.

It is reported in official circles that a filibustering expedition has been landed at the entrance of the River Arimao, province of Santa Clara, Cuba, and has succeeded in joining the insurgent forces commanded by Rego.

Things to Remember

Buttermilk will take out mildew stains.

A drop of crosette will stop the bleeding of a cut.

Nutmeg grated into a glass of port or sherry often cures neuralgia.

Rub spoons with common salt to remove egg stains.

Sage picked fresh and rubbed on the teeth, whitens and preserves them.

Chlorid of lime will cause rats to flee from the neighborhood in which it is exposed.

Bucklen's Arnica Salve

The best Salve in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetters, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per bottle. For sale by R. R. Bellamy.

POINTED PARAGRAPHS.

A bad epigram, like a worn-out pencil, has no point to it.

The man who is born rich is lucky right from the start.

Some men find courage only when they lose their tempers.

The dude is very often the living picture of an unpaid tailor bill.

Compliments on a tombstone might be properly termed epi-taffy.

The unexpected happens about as often as the expected fails to.

Marriage is an eye salve that restores the sight of blind lovers.

When woman gets her rights she will be man's equal instead of his boss.

A man may be a good talker and still have an impediment in his thoughts.

The average woman doesn't want a vote if she can manage to get a voter.

One touch of the milliner's fingers makes the whole feminine world akin.

What a happy world this would be if a man could only believe all he says.

Etiquette has nothing to do with the good form displayed by a bloomer girl.

A man never cares if his hair does keep on getting gray—just so it keeps on.

No man can get ahead of the woman who rides on the front seat of his tandem.

Whenever a woman confides in a man she either wants to be admired or pitied.

Theatrical people are peculiar. They work when they play and play when they work.

When a man makes plenty of money and gets lots of applause he ought to be satisfied.

Women seldom stutter. Probably it's because they have so much to say and haven't time.

Men frequently forsake love for ambition, but they seldom give up ambition for love.

A jealous person is always in love, but it's usually more self-love than anything else.

Passion makes a fool a sensible man and occasionally it makes a sensible man a fool.

Thirteen is always unlucky for some one when it consists of a judge and twelve jurymen.

A modest girl should always turn down the light when her lover calls—so as to blush unseen.

The wise man profits by experience; but he is still wiser who profits by the experience of others.

Any woman who is a match for her husband will blaze up when he attempts to strike her.

Conversing with a man who always agrees with you is about as monotonous as talking to an echo.

If a man's mind is a blank during sleep it must be difficult for some men to tell when they are awake.

The girl who tries to imitate a man is idiotic, but the imitation is often very flattering just the same.

Some men are never satisfied to remain at the bottom of the ladder; they always try to get farther down.

Mansions in the skies are built on the installment plan and each good deed is a brick used in the construction.

A man gets very little credit for what he does in this world, but he gets lots of blame for what he doesn't.

When a man has a reputation for wisdom he can say foolish things and his friends applaud them as sarcasm.

It takes the average woman about twice as long to make up her complexion as it does to make up her mind.

When a man knows his own imperfections he is just about as nearly perfect as it is possible for a man to be.

The average man likes to believe the disagreeable things he sees in the newspapers that refer to people he knows.

If you want to see the smartest, cutest and sweetest baby that ever lived just get any mother to show you hers.

When a man of opposite views readily agrees with you, you have either succeeded in convincing or tiring him.

It most always hurts a girl more or less when her best fellow calls with a two day's growth of whiskers on his chin.

When a woman's bliss lies in her ignorance it is folly for her to read the letters she finds in her husband's pockets.

Nature has a roundabout way of doing things. For instance, from chickens we get eggs and from eggs we get chickens.

Don't condemn a man for beating his wife until you ascertain whether he used a club or a pack of cards in the operation.

The girl who confides all her little secrets to her chum will be sorry some day when she no longer cares to play in her yard.

A man isn't always to blame for thinking more of his typewriter than he does of his wife; he can dictate to his typewriter.

Some of us have more ups and downs in this world than others, but when we get to the cemetery we will all be on a dead level.

When a fellow reaches man's estate he should put away childish things. But some get married and begin to accumulate them.

The man who can umpire a base ball game and please both sides can figure on a reserved seat in the front row of the heavenly orchestra.

Don't laugh at a girl because she can't hit the side of a barn door with a brick; you might marry her some day, then you'll be glad of it.

WEYLER AND SHERMAN.

(Columbia (S. C.) State.)

We have very often thought of this queer discrimination made at the north between Weyler and Sherman, between actual rebels in Cuba and so-called rebels in the south; and we have as often been tempted to show the inconsistency of it. Yet after thinking over it we have come to this conclusion. It is too early yet to get the north to admit that Sherman waged war like a savage, therefore there's no use to try to secure the admission. Condemnation of Sherman would be condemnation of the north, of the men who supported him in his vandalism, who rejoiced in his cruelties. The time for that is yet to come. But the northern denunciation of Weyler for outrages akin to Sherman's is something gained; it is an admission in fact, if not in terms, that Sherman was a brute and that his methods were infamous. One of these days, when impartial history shall be written, the north will be confronted with its laudation of Sherman and its damnation of Weyler, and the admission will be forced that what was villainous in the one was villainous in the other.

Let the north, therefore, go on piling up its condemnation of Weyler, it is only laying stronger the foundation for the future's damnation of Sherman. What matters present inconsistency, so long as the ultimate end is the justice of history?

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Swiss Creek Dairy and Stock Farm



One hundred head of gilt bred registered Jersey Cows, Heifers and young Bulls, blended blood of the noted Stoke Pogis, St. Lambert, Coomastie and other strains. Heifers \$20.00 to \$30.00; Bulls \$15.00 to \$20.00. Males kept only from my best cows. Remember the bull is half the herd, so buy and breed up. Poland China swine always on hand. Write for what you want.

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CARTER'S LITTLE LIVER PILLS.

Headache, get CARTER'S LITTLE LIVER PILLS are equally valuable in Constipation, curing and preventing this annoying complaint, while they also correct all disorders of the stomach, stimulate the liver and regulate the bowels. Even if they only cured

HEAD

Ache they would be almost priceless to those who suffer from this distressing complaint, but fortunately their goodness does not end here, and those who once try them will find they will not be willing to do without them. But after all sick head

ACHE

is the base of all our lives that here is where we make our great boast. Our pills cure it while others do not.

CARTER'S LITTLE LIVER PILLS are very small and very easy to take. One or two pills make a dose. They are strictly vegetable and do not gripe or purge, but by their gentle action cause all who use them to feel like a new man.

Small Pill. Small Dose. Small Price.

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TRADE-MARK.

Nature's Nervine and Rapid Restorative.

An unfailing cure for Diseases of the Digestive, Nervous and Generative Systems. A Tonic of rare efficacy for the old and young and of marked service for Students, Teachers, and all who are engaged in Brain work or close occupations.

CURES

Depression, Tired Feelings, Nervousness, Muscular Weakness, Loss of Appetite, Palpitation of Heart, Restlessness, Hysteria, Nerve Weakness, General Discomfort, Excesses, Alcoholism, and that almost innumerable series of diseases and complications resulting from any derangement of the Nervous system. Invaluable for weak women and nervous children.

Steady Nerves, Braced System, Sound Rest, Good Work, Dr. Cox's Cogelin